

MINUTES
WAVELAND PLANNING & ZONING COMMISSION
REGULAR MEETING
APRIL 17, 2023

A regular meeting of the Waveland Planning & Zoning Commission was held at 6:00 pm on Monday, April 17, 2023 at Waveland City Hall in the Board Room located at 301 Coleman Ave, Waveland, MS 39576.

Chairman Bryan Frater called the meeting to order at 6:10pm. The Commissioners wanted to wait for Commissioner Whitney. After calling, Commissioner Whitney stated that he was out of town and the meeting proceeded. Present at the meeting were Chairman Bryan Frater, Commissioners Dr. Barbara Coatney, and Matt Touart. Also present was Zoning Official, Jeanne Conrad. City Attorney, Ronnie Artigues Jr., Commissioner Greg Poindexter and Commissioner Chad Whitney were not present but a quorum was established.

Chairman Frater called for a motion to approve the minutes from the Planning & Zoning Regular Meeting held on Monday, April 10, 2023. Commissioner Touart made the motion, seconded by Commissioner Coatney, to approve the minutes as written.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Chairman Frater called for a motion to move items six and seven to the top in order to get their cases heard before the Ordinance discussions. Commissioner Touart moved, seconded by Commissioner Coatney to move the items.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Scott Harris, owner of the property commonly known as 241 Gulf Dr., parcel #162Q-1-10-046.000, has made an application of a Conditional Use in order to construction an accessory structure over 500 sq. ft. and to build the structure before the primary structure. The proposed accessory structure will be 840 sq. ft. and will meet all minimum setbacks per Zoning Ordinance #349.

Chairman Frater called for Mr. Harris to come forward and explain his request. Mr. Harris was not present in the audience. The commissioners reviewed the application request and discussed tabling the application due to questions they would like to ask the applicant.

Chairman Frater called for a motion to Table the item until the next meeting on Monday, May 8, 2023 at 6:00 pm in order for the applicant to be present and answer questions for the record. Commissioner Touart moved, seconded by Commissioner Coatney to table the request.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Michael Martin, owner of the property commonly known as 518 Fell Grass St., parcel #161D-0-02-096.000, has made an application for variances, a conditional use, and the temporary use of an RV during new construction. There is currently a non-conforming 1,200 sq. ft. accessory structure on the property. The applicant is requesting a 5' left side-yard variance for the pre-existing structure and for the proposed new primary structure in order to match the side-yard with the existing accessory structure. The non-conforming structure will also need a 5' rear-yard variance because it is 20' from the rear property line and not the required 25' due to the distance from the proposed primary structure. The applicant is also requesting a 5' variance on the right side-yard for the proposed open carport addition to the existing accessory structure for additional covered parking. This results in the request for a Conditional Use in order to have the total accessory structure to be 2,400 sq. ft.

in size. The last request is to temporarily use an RV as occupancy during the new construction of the 1,050 sq. ft. primary residence.

Chairman Frater suggested that the request be split into 4 actions/motions to make things easier. Mr. Martin came forward to explain his multiple requests. There was a lengthy discussion about aesthetics, sizes, and positions of the structures between the Commissioners, the applicant and a few neighbors; Prima Luke, resident at 338 Jeff Davis Ave, Tina Landes, resident at 512 Fell Grass St, and Liz Stahler, resident at 509 St. Anthony St. After all discussions were completed, Chairman Frater called for each individual motion to be made as follows:

Commissioner Touart made the motion, seconded by Commissioner Coatney, to approve the 5' left side-yard variance on the existing non-conforming accessory structure.

Commissioner Touart made the motion, seconded by Commissioner Coatney, to approve the 5' left side-yard variance for the construction of a new Primary Dwelling in order to match the existing accessory structure.

The request for a right side-yard variance for the accessory structure addition died for lack of a motion made.

Commissioner Touart made the motion, seconded by Commissioner Coatney, to approve the temporary use of an RV/Camper during new construction of a Primary Dwelling.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the multiple motions passed.

Chairman Frater and the Commissioners discussed a verbiage change to the protected tree ordinance in order to not penalize the removal of a protected tree if it happens to be damaged or blown over by a heavy storm/natural disaster. The new verbiage will state "The Planning & Zoning Board, taken into consideration adverse circumstances, shall have the option to modify or waive the number of replacement trees designated by said replacement formula."

Chairman Frater called for a motion to approve the additional verbiage. Commissioner Coatney moved, seconded by Commissioner Touart to approve the change to the Protected Tree Ordinance.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

Chairman Frater began a discussion on regulating Short-Term Rentals in the City of Waveland pending a new ordinance to be written by City Attorney, Ronnie Artigues. After a brief discussion that continued from the Special Meeting held on Monday, April 10, 2023, the Commission decided to recommend the implementation of a 3% sales tax on STR and Hotels/Motels and to add a \$200 initial application, \$100 annual renewal & \$500 violations, and verbiage of regulating the number of occupants be limited to no more than 2 people per bedroom plus 1 in the house and limit to 2 spaces for motor vehicle parking into Ord. to be written by City Attorney, Ronnie Artigues.

Chairman Frater then called for a motion to approve said recommendations. Commissioner Touart moved, seconded by Commissioner Coatney to approve the recommendations to the Board of Mayor and Alderman.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

With Commissioners Poindexter and Whitney not present, the remaining Commissioners decided to table the remaining discussion of Amendments to the Zoning Ordinance #349 Article IV, Sections 405-409 to the next Special Meeting on Monday, May 8, 2023, at 6:00 pm in order for the rest of the Commission to be present for discussion.

Chairman Frater called for a motion to table the discussion of Article IV, Sections 405-409. Commissioner Coatney made the motion, seconded by Commissioner Touart to table the item.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

With no other comments and no one left in the audience for comments, Chairman Frater called for a motion to adjourn the meeting. Commissioner Touart made the motion, seconded by Commissioner Coatney.

After a unanimous vote of yes by all commissioners present to adjourn the meeting, Chairman Frater declared the motion passed and the meeting adjourned at 7:13 pm.

Respectfully submitted,

Jeanne Willie, Zoning Official